

*Department of Environmental Protection*

# **Environmental Quality Board**

## **Mission**

Adjudicates environmental appeals in a fair, efficient, and equitable manner for the people of West Virginia, and protects the waters of the state by promulgating water quality and groundwater regulations consistent with the mandates of the federal Clean Water Act.

## **Operations**

- Provide an administrative remedy for disputes arising from permitting and enforcement activities of the DEP and the Division of Water and Waste Management.
- Promulgate legislative rules setting standards of water quality for the state's groundwaters and surface waters.

Environmental Quality Board

# Expenditures

	TOTAL FTE POSITIONS 11/30/2003	FY 2003 ACTUALS	FY 2004 BUDGETED	FY 2005 REQUESTED	GOVERNOR'S RECOMMENDATION
<b>EXPENDITURE BY PROGRAM</b>					
Adjudication/Rulemaking	2.65	\$213,750	\$196,502	\$183,766	
Less: Reappropriated		(155)	0	0	
<b>TOTAL BY PROGRAM</b>	<b>2.65</b>	<b>213,595</b>	<b>196,502</b>	<b>183,766</b>	<b>184,941</b>
<b>EXPENDITURE BY FUND</b>					
<b>General Fund</b>					
FTE Positions		2.00	2.00	2.00	2.00
Total Personal Services		108,526	99,868	96,050	96,050
Employee Benefits		24,296	23,285	24,325	24,445
Other Expenses		28,238	18,349	8,391	9,446
Less: Reappropriated		(155)	0	0	0
<b>Subtotal: General Fund</b>		<b>160,905</b>	<b>141,502</b>	<b>128,766</b>	<b>129,941</b>
<b>Federal Fund</b>					
FTE Positions		0.00	0.00	0.00	0.00
Total Personal Services		0	0	0	0
Employee Benefits		0	0	0	0
Other Expenses		0	0	0	0
<b>Subtotal: Federal Fund</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Appropriated Special Fund</b>					
FTE Positions		0.00	0.00	0.00	0.00
Total Personal Services		0	0	0	0
Employee Benefits		0	0	0	0
Other Expenses		0	0	0	0
Less: Reappropriated		0	0	0	0
<b>Subtotal: Appropriated Special Fund</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Nonappropriated Special Fund</b>					
FTE Positions		0.65	0.65	0.65	0.65
Total Personal Services		36,528	44,677	42,690	42,690
Employee Benefits		8,247	7,323	7,529	7,529
Other Expenses		7,915	3,000	4,781	4,781
<b>Subtotal: Nonappropriated Special Fund</b>		<b>52,690</b>	<b>55,000</b>	<b>55,000</b>	<b>55,000</b>
<b>TOTAL FTE POSITIONS BY FUND</b>	<b>2.65</b>	<b>2.65</b>	<b>2.65</b>	<b>2.65</b>	<b>2.65</b>
<b>TOTAL EXPENDITURES BY FUND</b>		<b>\$213,595</b>	<b>\$196,502</b>	<b>\$183,766</b>	<b>\$184,941</b>

## Programs

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### Adjudication/Rulemaking

#### Mission

Deliver fair, impartial, timely, and high quality decisions of administrative appeals arising under state environmental laws. This program serves the regulated community and members of the general public who file administrative appeals of the Division of Water and Waste Management's decisions, and also promulgates procedural rules governing the administration of various board activities.

#### Goals/Objectives

- Process appeals in a timely and efficient manner.
- Analyze timeliness of appeal process and determine areas for improvement.
- Maintain accurate statistical data on board and rulemaking activities.
- Ensure that board activities and promulgation activities comply with the Administrative Procedures Act.
- Promulgate water quality standards for the protection of surface and groundwaters using the latest research methodology and data in accordance with the federal mandates of Clean Water Act and corresponding regulations.

#### Performance Measures

<u>Fiscal Year</u>	<u>Actual 2001</u>	<u>Actual 2002</u>	<u>Estimated 2003</u>	<u>Actual 2003</u>	<u>Estimated 2004</u>	<u>Estimated 2005</u>
Cases filed	18	22	26	33	38	42
Cases disposed	15	13	18	32	30	32
Freedom of Information Act requests	56	61	80	86	100	110